

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Buckingham Tower Condominium, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names
FKA Buckingham Owners, Inc.

3. Debtor's federal Employer Identification Number (EIN) 13-3441386

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

615 Warburton Avenue, Apt. 2C
Yonkers, NY 10701

Number, Street, City, State & ZIP Code

Westchester
County

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

7. Describe debtor's business

A. Check one:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))

☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))

☐ Railroad (as defined in 11 U.S.C. § 101(44))

☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))

☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))

☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))

☒ None of the above

B. Check all that apply

☐ Tax-exempt entity (as described in 26 U.S.C. §501)

☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)

☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

☐ Chapter 7

☐ Chapter 9

☒ Chapter 11. Check **all** that apply:

☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 04/01/25 and every 3 years after that).

☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) and it chooses to proceed under Subchapter V of Chapter 11.

☐ A plan is being filed with this petition.

☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).

☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.

☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No.

☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____
District _____ When _____ Case number, if known _____

11. Why is the case filed in this district? Check all that apply:
- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention? (Check all that apply.)**
- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____
- Where is the property?** _____
Number, Street, City, State & ZIP Code
- Is the property insured?**
- ☐ No
- ☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds . Check one:
- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities
- | | | |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
|---|--|--|

Debtor

Buckingham Tower Condominium, Inc.

Case number *(if known)*

Name

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 30, 2022**
MM / DD / YYYY

X /s/ Jose Guerrero
Signature of authorized representative of debtor

Title **President**

Jose Guerrero
Printed name

18. Signature of attorney

X /s/ Anne Penachio
Signature of attorney for debtor

Date **June 30, 2022**
MM / DD / YYYY

Anne Penachio
Printed name

Penachio Malara, LLP
Firm name

245 Main Street, Suite 450
White Plains, NY 10601
Number, Street, City, State & ZIP Code

Contact phone **914-946-2889** Email address **frank@pmlawllp.com**

(ap-9721) NY
Bar number and State

Fill in this information to identify the case:

Debtor name **Buckingham Tower Condominium, Inc.**
 United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
615 Warburton Holding 615 Warburton Avenue Yonkers, NY 10701		Advance (Paydown of Mortgage held by Titan)	Unliquidated			\$121,000.00
Geist Schwarz Jellinack One North Lexington White Plains, NY 10601		Legal Fee	Unliquidated			\$495.00
NY State Insurance Fund P.O. Box 5262 Binghamton, NY 13902		Former employee of Original Sponser	Unliquidated Disputed			\$4,837.00
TB Yonkers Holdings, LLC 81 Woodhollow Road Roslyn Heights, NY 11577		Apartments	Unliquidated Disputed	\$375,000.00	\$0.00	\$375,000.00
Titan Capital ID LLC 100 S. Point Drive Unit 1102 Miami Beach, FL 33139		25 apartment units located at 615 Warburton Avenue, Yonkers, NY 10701	Unliquidated	\$2,282,657.00	\$2,000,000.00	\$282,657.00

**United States Bankruptcy Court
Southern District of New York**

In re **Buckingham Tower Condominium, Inc.**

Debtor(s)

Case No.
Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
615 Warburton Group, LLC 615 Warburton Avenue Yonkers, NY 10701	Common	762	Shareholder
615 Warburton Holding Corp 615 Warburton Avenue Yonkers, NY 10701	Common	927	Common
Adel Morales 615 Warburton Avenue Yonkers, NY 10701	Common	786	Shareholder
April Owen 615 Warburton Avenue Yonkers, NY 10701	Common	597	Shareholder
Bradley Kate 615 Warburton Avenue Yonkers, NY 10701	Shareholder	911	Shareholder
Dawn Maron 615 Warburton Avenue Yonkers, NY 10701	Common	589	Shareholder
Dorothy Taylor Jones 615 Warburton Avenue Yonkers, NY 10701	Common	923	Shareholder
Eloise President 615 Warburton Avenue Yonkers, NY 10701	Common	1160	Shareholder
Evelyn Slusher 615 Warburton Avenue Yonkers, NY 10701	Common	528	Shareholder
Faye Eulett 615 Warburton Avenue Yonkers, NY 10701	Common	850	Shareholder
Federal National MA 615 Warburton Avenue Yonkers, NY 10701	Common	774	Shareholder
Gabriella Bracaglia 615 Warburton Avenue Yonkers, NY 10701	Common	903	Shareholder

In re: **Buckingham Tower Condominium, Inc.**

Case No. _____

Debtor(s)

LIST OF EQUITY SECURITY HOLDERS
(Continuation Sheet)

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Gloria Fugate 615 Warburton Avenue Yonkers, NY 10701	Common	769	Share holder
Greg Dusablon 615 Warburton Avenue Yonkers, NY 10701	Common	789	Shareholder
Hubert Huie 615 Warburton Avenue Yonkers, NY 10701	Common	915	Shareholder
Jacequeline Brown 615 Warburton Avenue Yonkers, NY 10701	Common	600	Shareholder
James Jackson 615 Warburton Avenue Yonkers, NY 10701	Common	790	Shareholder
Jason Phillips 615 Warburton Avenue Yonkers, NY 10701	Common	1082	Shareholder
Jean Wilkinson 615 Warburton Avenue Yonkers, NY 10701	Common	919	Shareholder
Jessica Eichele 615 Warburton Avenue Yonkers, NY 10701	Common	770	Shareholder
Jose Guerrero 615 Warburton Avenue Yonkers, NY 10701	Common	919	Common
Katherin e Robertson 615 Warburton Avenue Yonkers, NY 10701	Common	766	Shareholder
Lanny Lerner 615 Warburton Avenue Yonkers, NY 10701	Common	798	Shareholder
Larry Watson 615 Warburton Avenue Yonkers, NY 10701	Common	588	Shareholder

In re: **Buckingham Tower Condominium, Inc.**

Case No. _____

Debtor(s)

LIST OF EQUITY SECURITY HOLDERS
(Continuation Sheet)

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Mari da Silva 615 Warburton Avenue Yonkers, NY 10701	Common	782	Shareholder
Noreen Scott 615 Warburton Avenue Yonkers, NY 10701	Common	584	Shareholder
Richarrd Brown 615 Warburton Avenue Yonkers, NY 10701	Common	605	Shareholder
Rosalind Rogers 615 Warburton Avenue Yonkers, NY 10701	Common	778	Shareholder
Vance Gransby 615 Warburton Avenue Yonkers, NY 10701	Common	794	Shareholder
Vincent Ciccarello 615 Warburton Avenue Yonkers, NY 10701	Common	846	Shareholder

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **June 30, 2022**

Signature **/s/ Jose Guerrero**
Jose Guerrero

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Southern District of New York**

In re **Buckingham Tower Condominium, Inc.**

Debtor(s)

Case No.

Chapter

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VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **June 30, 2022**

/s/ Jose Guerrero

Jose Guerrero/President

Signer/Title

615 WARBURTON HOLDING
615 WARBURTON AVENUE
YONKERS, NY 10701

CITY OF YONKERS
TAX RECEIVER
87 NEPPERHAN AVENUE
YONKERS, NY 10701

GEIST SCHWARZ JELLINACK
ONE NORTH LEXINGTON
WHITE PLAINS, NY 10601

NY STATE INSURANCE FUND
P.O. BOX 5262
BINGHAMTON, NY 13902

TB YONKERS HOLDINGS, LLC
81 WOODHOLLOW ROAD
ROSLYN HEIGHTS, NY 11577

TITAN CAPITAL ID LLC
100 S. POINT DRIVE
UNIT 1102
MIAMI BEACH, FL 33139

**United States Bankruptcy Court
Southern District of New York**

In re **Buckingham Tower Condominium, Inc.**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Buckingham Tower Condominium, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

June 30, 2022

Date

/s/ Anne Penachio

Anne Penachio

Signature of Attorney or Litigant

Counsel for **Buckingham Tower Condominium, Inc.**

Penachio Malara, LLP

245 Main Street, Suite 450

White Plains, NY 10601

914-946-2889

frank@pmlawllp.com